

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

NEC CORPORATION OF AMERICA, INC.

Defendant.

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

NETAPP, INC.

Defendant.

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

AMAZON.COM, INC.; AMAZON WEB SERVICES LLC; and DROPBOX, INC.

Defendants.

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

**CASE NO. 6:11-CV-655 (LED)**  
**PATENT CASE**  
**JURY TRIAL DEMANDED**

**CASE NO. 6:11-CV-657 (LED)**  
**PATENT CASE**  
**JURY TRIAL DEMANDED**

**CASE NO. 6:11-CV-658 (LED)**  
**PATENT CASE**  
**JURY TRIAL DEMANDED**

**CASE NO. 6:11-CV-659 (LED)**  
**PATENT CASE**

CARINGO, INC.

Defendant.

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

EMC CORPORATION, and VMWARE, INC.

## Defendants

PERSONALWEB TECHNOLOGIES, LLC  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

AUTONOMY, INC., HEWLETT-PACKARD  
COMPANY, AND HP ENTERPRISE  
SERVICES, LLC,

Defendant.

PERSONALWEB TECHNOLOGIES, LLC.  
AND LEVEL 3 COMMUNICATIONS, LLC

Plaintiff,

VS.

GOOGLE INC. AND YOUTUBE, LLC.

Defendants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PROPOSED  
DISCOVERY ORDER**

The parties in the above captioned matters, Plaintiffs PersonalWeb Technologies LLC and Level 3 Communications, LLC's, and Defendants NEC Corporation of America, Inc., Google Inc. and YouTube, LLC, NetApp, Inc., Amazon.com, Inc., Amazon Web Services LLC, and DropBox, Inc., Caringo, Inc., EMC Corporation and VMware, Inc., and Autonomy, Inc., Hewlett-Packard Company, and HP Enterprise Services, LLC respectfully request that the Court grant a brief extension of time for the Parties to submit their Discovery Order on or before July 23, 2012.

On June 15, 2012, the Court ordered the Parties to submit their respective Docket Control and Discovery Orders by June 27, 2012 for the above captioned matters. See e.g., Dkt. No. 17.1. The Court also ordered Plaintiff to serve their Patent Rule 3-1 and 3-2 disclosures by June 20, 2012. *Id.* In order to have adequate time to comply with the Court's Order, Plaintiff sought and received an extension of time to serve their patent infringement disclosures and accompanying document production on or before July 2, 2012. See e.g., Dkt. Nos. 18 and 25.

In an effort to additionally streamline discovery and to efficiently reach consensus on practical issues of scheduling (e.g., deadlines for supplementing infringement contentions after source code review, invalidity contentions, etc.), Defendants sought an extension of time for parties to submit the Docket Control and Discovery Orders to July 9, 2012. See e.g., Dkt. No. 24. The parties sought a further extension to July 13, 2012, which this Court granted. In accordance with the extension, today the parties are filing their proposed Docket Control Order.

The parties are continuing to work in good faith in an effort to reach agreement on the Discovery Orders. To that end, the parties seek brief extension of time to submit their Discovery Orders to July 23, 2012. The requested extension is not for the purpose of delay, but rather to

allow the parties additional time on which to negotiate a consensus on as many issues as possible.

DATED: July 13, 2012

Respectfully submitted,  
**McKOOL SMITH, P.C.**

/s/ Samuel E. Baxter

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*Attorneys for Plaintiff*  
*PersonalWeb Technologies LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3)(A) on July 13, 2012.

/s/ Samuel F. Baxter  
Samuel F. Baxter

**CERTIFICATE OF CONFERENCE**

Counsel for Plaintiff has conferred with Counsel for Defendants and Defendants do not oppose this Motion.

/s/ Samuel F. Baxter  
Samuel F. Baxter